## IN THE UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

IN RE: §

CIRCUIT CITY STORES, INC., et al § CASE NO. 08-35653-KRH

Jointly Administered

**§ §** 

DEBTORS. § CHAPTER 11

## RAYMOND & MAIN RETAIL, LLC NOTICE OF MOTION AND HEARING

Raymond & Main Retail, LLC ("Raymond & Main"), by its counsel, has filed papers with the Court requesting the Court to enter an order compelling rejection or, in the alternative, assumption of a lease pursuant to 11 U.S.C. § 365 (the "Motion").

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one). Under Local Bankruptcy Rule 4001-(a)-1, the Court may deem opposition waived, treat the Motion as conceded, and issue an Order granting the requested relief without further notice or hearing unless you take the following steps:

File with the Court, at the address shown below, a written objection. If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before December 18, 2008, at 4:00 p.m.

William C. Redden, Clerk United State Bankruptcy Court 701 E. Broad Street, Room 4000 Richmond, Virginia 23219

Mail a copy of your response and supporting memorandum to:

William A. (Trey) Wood, III Texas Bar No. 21916050 Trey.Wood@bgllp.com 711 Louisiana, Suite 2300 Houston, Texas 77002

Telephone: (713) 223-2300 Facsimile: (713) 221-1212

And

Neil E. McCullagh Virginia Bar No. 39027 Bank of America Center 1111 East Main Street, 16th Floor Richmond, Virginia 23219 Telephone: (804) 644-1400

Facsimile: (804) 225-8706

You or your attorney also must:

Attend a hearing on the Motion scheduled to be held on December 22, 2008 at 1:00 p.m. at the United States Bankruptcy Court, United States Courthouse, 701 East Broad Street, Room 5000, Richmond, Virginia 23219.

If you or your attorney do not take these steps, including the filing and serving of a written response and supporting memorandum within the time period and in the manner set forth above pursuant to Local Bankruptcy Rule 9013-I, the court may deem any opposition waived, treat the Motion as conceded, decide that you do not oppose the Motion and issue an order granting the relief requested without further notice or hearing.

Dated: December 12th, 2008 Respectfully submitted,

**CANTOR ARKEMA, P.C.** 

By: /s/Neil E. McCullagh

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And

## **BRACEWELL & GIULIANI LLP**

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**CERTIFICATE OF SERVICE** 

I hereby certify that on the 12<sup>th</sup> day of December, 2008, a true and correct copy of the above

and foregoing instrument was served (i) via electronic means as listed on the "2002" and "Core"

lists through the Court's ECF system; and (ii) by regular U. S. First Class Mail on the parties on the

attached Service List.

/s/ William A. (Trey) Wood, III

William A. (Trey) Wood, III

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